

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

APRIL ELISHA RANDLE,

Plaintiff,

v.

ARS TOWING, et al.,

Defendants.

Case No. 2:24-CV-00416-GSL-AZ

OPINION AND ORDER

Before the Court is pro se Plaintiff April Randle's second Amended Complaint [DE 9] and Motion to Proceed In Forma Pauperis [DE 10]. The Court dismissed the initial complaint because Plaintiff brought the action on behalf of herself as both a trust and a trustee. [DE 3]. The dismissal was without prejudice, thereby affording Plaintiff the chance to amend and refile. [*Id.*]. Plaintiff then filed her first Amended Complaint, which alleged various federal and state law violations against Defendants Mercedes-Benz Financial Services USA, ARS Towing Company, and Napleton Autowerks of Indiana relating to a 2020 Mercedes Benz GLC 300 C4 Plaintiff was leasing. [DE 5]. The Court dismissed that pleading for failure to state a claim, explaining how and why each alleged federal claim was deficiently pleaded. *See* [DE 7]. Plaintiff was afforded another opportunity to amend. [*Id.*]. Plaintiff filed her second Amended Complaint [DE 9] alongside a Motion to Proceed In Forma Pauperis [DE 10]. Both are now before the Court.

Plaintiff did not address any of the deficiencies the Court highlighted in its order on the first Amended Complaint. In fact, this pleading contains far less information than prior pleadings. Though this pleading attached several exhibits, it references none of them. *See* [DE 9] and [DE 9-2]. On this second Amended Complaint, if this Court were to review the exhibits and

for violations of the federal laws cited by Plaintiff to determine whether there are any claims, it would be going beyond the “less stringent [pleading] standards” afforded to pro se litigants.

Erickson v. Pardus, 551 U.S. 89, 94 (2007) (quotation marks and citations omitted).

Accordingly, Plaintiff’s second Amended Complaint [DE 9] is **DISMISSED WITH PREJUDICE**, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). Consequently, her Motion to Proceed In Forma Pauperis [DE 10] is **DENIED**. The Court **DIRECTS** the Clerk to close this matter.

SO ORDERED.

ENTERED: June 12, 2025

/s/ GRETCHEN S. LUND

Judge

United States District Court